

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 1:18-CV-68
)	
UNITED STATES OF AMERICA, <i>et al.</i> ,)	
)	
Defendants,)	
)	
KARLA PEREZ, <i>et al.</i> ,)	
)	
Defendant-Intervenors,)	
and)	
)	
STATE OF NEW JERSEY,)	
)	
Proposed Defendant-Intervenor.)	

**PROPOSED DEFENDANT-INTERVENOR’S RESPONSE TO
PLAINTIFFS’ MOTION FOR PRELIMINARY INJUNCTION**

On May 2, 2018, Plaintiffs moved for a preliminary injunction to “enjoin the 2012 memorandum creating DACA.” Dkt. 5 at 2. “A plaintiff seeking a preliminary injunction must establish [1] that he is likely to succeed on the merits, [2] that he is likely to suffer irreparable harm in the absence of preliminary relief, [3] that the balance of equities tips in his favor, and [4] that an injunction is in the public interest.” *Winter v. NRDC*, 555 U.S. 7, 20 (2008).

Proposed Defendant-Intervenor State of New Jersey (“New Jersey”) opposes Plaintiffs’ motion for a preliminary injunction because Plaintiffs have established none of these four requirements. New Jersey has filed a Motion to Intervene (Dkt. 39) in this matter, which will be fully briefed by next Monday, June 11, 2018. If New Jersey’s intervention motion is granted, New Jersey will submit a response brief to Plaintiffs’ request for a preliminary injunction by the July 7,

2018, deadline for post-discovery briefs set forth in in this Court's May 30, 2018 Order (Dkt. 53).

Dated: June 8, 2018

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CERTIFICATE OF SERVICE

I certify that on June 8, 2018, this document was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/Rachel Wainer Apter

Rachel Wainer Apter